

VZCZCXYZ0001
RR RUEHWEB

DE RUEHYE #0203/01 0821259
ZNR UUUUU ZZH
R 231259Z MAR 09
FM AMEMBASSY YEREVAN
TO RUEHC/SECSTATE WASHDC 8851
INFO RUEHGV/USMISSION GENEVA 0151
RUEHUNV/USMISSION UNVIE VIENNA 0088
RUEHNO/USMISSION USNATO 0688
RUEHBS/USEU BRUSSELS
RUCNDT/USMISSION USUN NEW YORK 0163

UNCLAS YEREVAN 000203

SENSITIVE
SIPDIS

DEPARTMENT (ISN/MNSA)
GENEVA (CD)
UNVIE (IAEA)
USUN (POL)
UNNATO (POL)
USEU (POL)

E.O. 12958: N/A

TAGS: [PARM](#) [MNUC](#) [PGOV](#) [PREL](#) [ENRG](#) [AORC](#) [KNNP](#) [UNGA](#) [IAEA](#) [NPT](#)

CDG, AM

SUBJECT: ARMENIA ON NUCLEAR NON-PROLIFERATION TREATY

REF: STATE 6970

(SBU) In response to reftel demarche, Post received the following information from Armenia's Foreign Ministry regarding the GOAM's views on the Nuclear Non-Proliferation Treaty (NPT).

Begin text (informal Embassy translation from Armenian):

Fulfillment of the commitments under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Protocol Additional to the Agreement between the International Atomic Energy Agency (IAEA) and the Republic of Armenia on Safeguards in Connection with the NPT is a priority for the GOAM. GOAM has always been keen on NPT issues since there has been a nuclear power-plant in Armenia from 1970s.

Armenia became a signatory of the NPT on 09/24/1991 (Resolution on NPT Accession). The Agreement on Safeguards in Connection with the NPT between Armenia and the IAEA was ratified on 09/23/1993. The Protocol Additional to the Agreement on Safeguards in Connection with the NPT between Armenia and the IAEA was ratified on 06/08/2004.

On 10/26/2004 the GOAM passed a decree on fulfillment of commitments undertaken by the Protocol Additional to the Agreement on Safeguards in Connection with the NPT between Armenia and the IAEA (GOAM Decree 1751-N).

In accordance with the above-referenced agreements jointly with the IAEA inspectors the safeguards in connection with the NPT are being implemented and available nuclear materials are being reported in accordance with the specified procedures and timeframes. Armenia's commitments undertaken by the Agreement on Safeguards in Connection with the NPT and Protocol Additional to the Agreement on Safeguards in Connection with the NPT are fully met.

While Armenia is not a member to Nuclear Suppliers Group (NSG) it has committed to implement all the provisions of the NPT. Armenia is not a member to NSG because the country is not a large supplier of nuclear materials and technology, and its membership to the group is not deemed feasible given country's economic focus.

The fundamental national law in this area is the Law of the Republic of Armenia on Safe Use of Nuclear Energy for Peaceful Purposes enacted on 03/01/1999, as amended on 04/18/2004.

Armenia has enacted several non-proliferation legislative documents, including:

Convention on the Physical Protection of Nuclear Materials, ratified on 06/22/1993;
Agreement on Safeguards in Connection with the NPT between Armenia and the IAEA, (comprehensive agreement), ratified on 09/23/1993;
Convention on Nuclear Safety, ratified on 12/20/1998
Protocol Additional to the Agreement on Safeguards in Connection with the NPT between Armenia and the IAEA, signed on 09/29/1997;
and
GOAM Decree No. 1231-N on Approving the Strategy for Strengthening and Rules of Physical Safety and Security of Nuclear Materials and the ANPP, adopted on 09/11/2003.

The institute of export control was established in 1999. There is a governmental commission for export control for dual use substances and technology and for regulating transit of such substances and technology. Regulations of the Commission and its composition were approved by GOAM Decree No. 212, dated 02/19/2004.

Rules and the procedure for monitoring of controlled substances and technologies were set by GOAM Decree No. 765, dated 05/20/2004. On September 14, 2003 the National Assembly (parliament) enacted the Law of the Republic of Armenia on Control of the Export of Dual-Use Commodities and Technologies and their Transit through the Republic of Armenia. The law became effective on 11/08/2003 and prevailed over the existing statutory provision for export control.

In accordance with this law the export control commission was additionally authorized to collect information on end-use and end-users. Export permission for controlled commodities and technology is issued when there is a written document from the end-user (end-user certification) that the commodities and technology will not be used for mass destruction weapons or in means for their transfer.

In recent years amendments have been made to the Criminal Code of the Republic of Armenia on prosecution for proliferation of substances and technologies that could be used in nuclear weapons. Specifically on 04/18/2003 was enacted and on 08/02/2003 became effective the provision that criminalizes procurement, production, possession, transportation, transfer and use of nuclear weapons and means for their transfer. Article 215 of the Criminal Code prohibits smuggling of nuclear weapons or dual-use substances, equipment and technology that could be used in weapons of mass destruction or missile systems. The penalty defined by this article is imprisonment 4-8 years with or without forfeiture of property.

The Republic of Armenia enjoys a positive cooperation with the United States which has contributed to significantly increasing capacities of the Republic of Armenia in non-proliferation of mass destruction weapons following country's independence.

In 2008 (via the Nuclear Smuggling Outreach Initiative), Armenia and U.S. Government developed the following 6 projects aimed at improvement and enhancement of Armenia's capabilities in preventing smuggling of nuclear and radioactive materials:

- Detection and disposal of orphaned sources;
- Improving security along Armenia's green borders at the points of entry;
- Improving response and nuclear forensics capabilities of Armenia, improving the national response plan to respond when nuclear and radiological materials or sources are detected;
- Improving capabilities for responding incidents of nuclear crime in cooperation with the international forensics community;
- Enhancing Armenia's legal and prosecution abilities to prevent nuclear smuggling; and
- Strengthening anti-corruption effects.

The GOAM is expecting assistance from the U.S. in the 6 above-mentioned areas. Furthermore, the Department of State was provided with brief descriptions of 4 projects on prevention of illicit trafficking of nuclear and radioactive materials.

Recently IAEA, the U.S., Russia and governments of several other countries on different levels have touched upon the need of creating facilities for enrichment of uranium and for processing and storage of nuclear fuel. We believe this issue is topical since many

countries intend to establish and/or develop capabilities of nuclear energy and availability of such centers/facilities can have a positive impact both for NPT countries and its new members in developing their capabilities in the area of generating nuclear energy.

Given the above-mentioned considerations the Ministry of Energy and Natural Resources of the Republic of Armenia in 2008 initiated the process to join the international uranium enrichment center in Angarsk, which will considerably improve the processes of transfer, storage and disposal of nuclear fuel for Armenia. Currently Russia and Kazakhstan are members of Angarsk Center.

GOAM believes that more active cooperation between the NPT courtiers under the auspices of the IAEA is essential in ensuring use of nuclear energy solely for peaceful purposes and transparency in this area.

GOAM supports the NPT and the initiative of new countries joining together for peaceful use of nuclear energy. This creates additional guarantees for the countries to meet their NPT commitments, particularly strict compliance with the provision of using nuclear energy for peaceful purposes, as well as creates a favorable environment for international cooperation in this area.

GOAM also expects to make more efforts towards bringing non-NPT Nuclear Weapon States, namely India, Pakistan, North Korea and Israel (the latter does not officially recognize being a NWS) into NPT membership.

Given the potential threat of proliferation of nuclear weapons in the neighboring areas of Armenia, and its consequences, Armenia welcomes the efforts of the U.S. Government, particularly to engage in direct talks with Iranian authorities, the initiative of the U.S. President to renew the Strategic Offensive Reductions Treaty between the U.S. and Russia (the existing treaty expires in 2009), etc.

By export control regulations of Armenia there are no restrictions for any country, including Iran and North Korea, however the export control commission exercises more stringent control over exports to these countries.

Armenia disapproves of the countries that violate their non-proliferation commitments or give up membership to such treaties. More robust requirements of the NPT will contribute to improved non-proliferation of nuclear weapons.

In the future Armenia will also contribute to the process of other countries joining multilateral non-proliferation agreements, full implementation of such agreements, and to their improvement/strengthening, if necessary.

End text.

Pennington